

Attorney's Docket: 1999DE132
Serial No.: 09/722,760
Group: 1756

REMARKS

The Office Action mailed December 12, 2006, has been carefully considered together with each of the references cited therein. The amendments and remarks presented herein are believed to be fully responsive to the Office Action. The amendments made herein are fully supported by the Application as originally filed. No new matter has been added. Accordingly, reconsideration of the present Application in view of the above amendments and following remarks is respectfully requested.

Claim Status

Claims 1, 4, 6-10, 17 and 22-25 are pending in this Application, with claims 4, 9, 10 and 17 withdrawn from consideration. Claims 1, 6-8 and 22-25 stand rejected. By this Amendment or previous amendments, Applicants have cancelled claims 1-5, 9-21 and 24. Therefore, the claims under consideration are believed to include claims 6-8, 22, 23 and 25. Of the pending claims, all have been amended except for claim 8.

This Amendment also takes into consideration the telephone interview had between the undersigned and the Examiner on March 21, 2007. The undersigned wishes to express his sincere gratitude for the Examiner's time and helpful suggestions with regard to this Application.

Claim Rejections Under 35 USC § 112, Second Paragraph

Claims 1, 6-8 and 23-25 stand rejected under 35 USC § 112, second paragraph as being indefinite. Specifically, the Office states with respect to claims 1, 23 and 25, the phrase "the low molecular weight nonpolymeric ammonium ion is of the formula (a) - (i)" is indefinite because it is not clear how the ammonium ion can be represented by all nine formulas.

With respect to claim 23, the claim has been amended to recite the method according to claim 25, wherein the structured silicate salt imparts either a positive or negative charge. The remaining text of said claim has been deleted.

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Concerning claim 25, the subject phrase has been amended to read "wherein the low molecular weight, nonpolymeric ammonium ion is selected from one of the formulas (a) through (j).

Claim 1 has been cancelled, thereby rendering this rejection moot.

Claim 6 is found to be indefinite for the failure to recite proper Markush language or the alternative "or" language between the last two members of the group. Claim 6 has been amended to change its dependency to claim 25 and, also, with respect to R¹ to R¹⁸, the word "or" has been added between the last two members of the group.

Claims 7, 8 and 14, which depend from claim 7, are found by the Office indefinite for use of the phrase "the low molecular weight organic cation." Furthermore, the Office states the molecular weight organic cation recited in claims 7, 8 and 24 is outside the scope of the particular ammonium ion recited in instant claim 1 because it is broader than the ammonium ion represented by one formulas (a) to (i). Applicants have amended claim 7 to read as an independent claim having the same structure as now amended claim 25 and "wherein the nonpolymeric ammonium ion is the aliphatic or aromatic 5 to 12 membered heterocyclic radical with 1-4 atoms selected from group consisting of N, O, S and a combination thereof belonging to the rings."

Concerning claim 8, as it depends from claim 7, it is believed to be in conformance with § 112, second paragraph.

Claim 24 has been cancelled.

In view of the above amendments and remarks, it is respectfully contended that the 35 USC § 112, second paragraph rejections have been overcome.

Claim Objections

Claims 1, 23 and 25 stand objected to for informalities.

The Office states that in claims 1 and 25 the phrase "adding as a charge control agent, wherein the charge control agent is ..." is non idiomatic English.

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Claim 25 has been amended to delete the subject phrase from the claim, while claim 1 has been cancelled.

The Office states that in claim 1, line 45 and claim 23 line 45, the chemical formula of the carbonyl group is missing a bond. Claim 1 has been cancelled while in claim 23 the contested text has been deleted.

In view of the foregoing amendments and remarks, it is respectfully contended that the objections to the claims have been overcome.

Claim Rejections Under 35 USC § 103(a)

Claims 1, 6-8 and 22-25 stand rejected under 35 USC § 103(a) as being unpatentable over Japanese Patent 8-6295 (JP'295) combined with US 3,925,278 (Murai), US 4,992,262 (Nakagaki), and US 5,385,776 (Maxfield). This rejection is respectfully overcome.

Pursuant to the courteous and most appreciated telephone interview between the undersigned and the Examiner, Applicants have amended independent claim 25 to read as suggested by the Examiner. It is believed that this amendment overcomes the rejection under § 103 as JP'295 combined with the US references cited in the rejection as they, alone, or in combination, do not teach, disclose or suggest a method of imparting, controlling or improving the charge of an electrophotographic toner or developer, or an electric material which consists of the step of adding only a structured silicate salt.

Concerning claim 1, such claim has been cancelled.

With respect to claim 6, the dependence of such claim has been changed to claim 25.


Turning to claims 7, such claim has been rewritten in independent form with the same preamble language as claim 25. With respect to claim 22, such claim has been amended to recite dependence on claim 25 and further defines the structured silicate salt as distearyl dimethyl ammonium bentonite.

In view of the above amendments and remarks it is respectfully contended that the 35 USC § 103 rejections have been overcome.

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In view of the forgoing amendments and remarks, the present Application is believed to be in condition for allowance, and reconsideration of it is requested. If the Examiner disagrees, she is requested to contact the attorney for Applicants at the telephone number provided below.

Respectfully submitted,


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